

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANCIS SANTIAGO,

Plaintiff,

v.

GMAC MORTGAGE GROUP, INC.,
GMAC RESIDENTIAL HOLDING
CORP., and GMAC MORTGAGE
CORPORATION,

Defendants.

Civil Action No. 02-4048

**JOINT MOTION TO APPROVE AMENDED CLASS ACTION
SETTLEMENT NOTICE AND EXPLANATORY INSERT**

Plaintiff, Francis Santiago (“Plaintiff” or “Santiago”) individually and on behalf of a settlement class (defined below) and Defendants, GMAC Mortgage Group, Inc. (n/k/a GMAC Mortgage Group, LLC), GMAC Residential Holding Corporation (n/k/a GMAC Residential Holding Company, LLC), and GMAC Mortgage Corporation (n/k/a GMAC Mortgage, LLC) (“Defendants”) (collectively, “Parties”), jointly and respectfully submit this Joint Motion to Approve Amended Class Action Settlement Notice and Explanatory Insert. In support of this motion, Plaintiff and Defendants state the following:

1. On April 6, 2007, this Court issued an order (“Order”) granting the parties’ Amended Joint Motion for Preliminary Approval of Class Action Settlement.
2. In granting the parties’ Amended Joint Motion and issuing the Order, the Court approved the proposed form of notice to the Class (“the Class Notice”).

3. Pursuant to the Order and the provisions of the Class Notice, Class members were given sixty-five (65) days from the date of mailing of the Class Notice to object to or request exclusion from the Class Settlement.

4. In accordance with the Order, on or before April 27, 2007, the Class Administrator mailed Class Notices to the most recent address for each of the 83,713 Class Members.

5. After the mailing, Defendants learned that some class members received a class notice that was not addressed to them, but instead, addressed to a different class member. Defendants investigated and determined that the Class Member data (names and addresses) provided to the Class Administrator contained an error which resulted in some Class Members receiving a Class Notice addressed to a different Class Member.

6. In abundance of caution, and to ensure that the method of notice complies with due process, the Parties have agreed to send an Amended Class Action Settlement Notice to each of the 83,713 Class Members. A true and correct copy of the Amended Class Action Settlement Notice is attached hereto as Exhibit A.

7. The Parties have further agreed to send an Explanatory Insert to each of the 83,713 Class Members accompanying the Amended Class Action Settlement Notice. A true and correct copy of the Explanatory Insert is attached hereto as Exhibit B.

8. Defendants have identified the source of the error and will provide the Class Administrator with correct last known addresses for each Class Member.

9. On or before May 19, 2007, the Class Administrator will mail Amended Class Notices and Explanatory Inserts to each Class Member.

10. In recognition of the error, and to ensure that Class Members have at least sixty-five (65) days following the mailing of the notice to opt out or object to the proposed settlement, the Parties have agreed to extend the dates for Class members to opt out or object to the proposed settlement until July 24, 2007.

11. The hearing on the fairness and reasonableness of the Settlement Agreement and whether final approval shall be given to it and the requests for fees and expenses by Class Counsel will be held at the United States District Court for the Eastern District of Pennsylvania, 504 Hamilton Street, Allentown, Pennsylvania 18101, on August 7, 2007, at 10:00 a.m., the same date as the Court originally set in its Order of April 6, 2007.

Dated: May 8, 2007

Respectfully Submitted,

“s”/Louis W. Schack
Robert A. Nicholas, Esquire
Louis W. Schack, Esquire
Shannon Elise McClure, Esquire
REED SMITH LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103
Telephone: (215) 851-8100
Facsimile: (215) 851-1420

Attorneys for Defendants
GMAC Mortgage Group, Inc.,
GMAC Residential Holding Corp.,
and GMAC Mortgage Corporation

“s”/Barry A. Weprin
Barry A. Weprin, Esquire
Jennifer Young, Esquire
MILBERG WEISS & BERSHAD LLP
One Pennsylvania Plaza
New York, NY 10119
Telephone: (212) 594-5300
Facsimile: (212) 868-1229

BARRACK, RODOS & BACINE

Jeffrey W. Golan, Esq.
3300 Two Commerce Square
2001 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-0600
Facsimile: (215) 963-0838

LERACH COUGHLIN STOIA

GELLER RUDMAN & ROBBINS LLP

John J. Stoia, Jr.
Timothy G. Blood
401 B Street, Suite 1700
San Diego, CA 92101
Telephone: (619) 231-1058
Facsimile: (619) 231-7423

PACKARD, PACKARD & JOHNSON

Craig H. Johnson
2795 Cottonwood Parkway, Suite 600
Salt Lake City, UT 84121
Telephone: (801) 428-9000
Facsimile: (801) 428-9090

PACKARD, PACKARD & JOHNSON

Ronald D. Packard
Four Main Street, Suite 200
Los Altos, CA 94022
Telephone: (650) 947-7300
Facsimile: (650) 947-7301

LAW OFFICES OF MICHAEL HUBER

Michael E. Huber
8170 South Highland Drive, Suite E5
Sandy, UT 84093
Telephone: (801) 733-5807
Facsimile: (801) 733-0132

LAW OFFICES OF MARK E. BUTLER

Mark E. Butler
116 4th Place
Brooklyn, NY 11231-4513
Telephone: (718) 422-0361
Facsimile: (309) 276-7533

Attorneys for Plaintiff and the Class